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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON
(HONORABLE MAGISTRATE JOHN T. ROGERS)

8 UNITED STATES OF AMERICA

Plaintiff,

V.

11 MARCIAL BRAVO-ZAMBRANO.

Defendant(s).

4:15-CR-06049-EFS-20

**DEFENDANT'S REPLY RE: MOTION
TO RELEASE THE DEFENDANT
PURSUANT TO CONDITIONS; AND
REQUEST TO REOPEN THE
DETENTION HEARING**

15 Marcial Bravo-Zambrano, through counsel, Zachary L. Ayers and Walter L. Ayers,
16 hereby replies to the Government's response.

18 Many of the Government's assertions are conclusory in nature without factual support.
19
20 The proposed release address has now been provided to the Government and the Court as of this
21 filing. The government was previously provided with Mr. Bravo-Zambrano's father's address in
22 the pre-trial report on page 2. This Counsel has met Mr. Bravo-Zambrano's family and viewed his
23 father's residence. There is nothing based on this Counsel's view of the outside of the property
24 and the surrounding neighborhoods and orchards to indicate why Mr. Bravo-Zambrano could not
reside there with GPS ankle monitoring.

26 The Government asserts that Mr. Bravo-Zambrano has not provided new evidence to the
27 Court. This is inaccurate as the evidence of his tax filings, his previous work access card with
28 Olsen Bros. has been presented along with a picture of his father's house to provide the Court

with context of where he would be living and with whom. See sealed exhibits 1, 2, and 3. Page 2 of sealed exhibit 1 states his father's address.

Additionally, there are no weapons charges against Mr. Bravo-Zambrano, nor are there any facts to support that he used weapons or firearms in the alleged offense. The Government continues to confuse the Court by referencing a co-defendant as proof of why Mr. Marcial Bravo-Zambrano should be held in custody. The Government and the pre-trial report both state that Mr. Bravo-Zambrano was dishonest in his work history. That is conclusory and without factual support and is a one-sided interpretation. There are times when individuals forget small facts. Because one small fact is forgotten or misremembered, it does not mean that the individual is being dishonest.

The Government claims because of the high penalty that Mr. Bravo-Zambrano should be detained. However, all the discovery indicates that he is a minimal participant as a “backpacker.”

The conditions of release for Mr. Bravo-Zambrano should be GPS ankle monitoring, reside at his father's residence, weekly contact with his attorneys and United States Pre-Trial services, not to leave the Eastern District of Washington, not to violate any State, Local, or Federal Laws, maintain or actively seek gainful employment, to submit to any drug testing as directed by United States Pre-Trail services, and any other conditions the Court deems necessary.

Dated this 7th day of August 2018.

Respectfully Submitted,

s/Zachary L. Ayers
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SERVICE CERTIFICATE

I hereby certify that on August 7, 2018, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following: Stephanie Van Marter, Assistant United States Attorney.

s/Zachary L. Ayers
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